

AMENDED IN ASSEMBLY MAY 10, 2012

AMENDED IN ASSEMBLY APRIL 30, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

Assembly Joint Resolution

No. 35

Introduced by Assembly Member Williams

March 26, 2012

Assembly Joint Resolution No. 35—Relative to rail transport of coal.

LEGISLATIVE COUNSEL’S DIGEST

AJR 35, as amended, Williams. Rail transport: coal.

This measure urges the President of the United States and the 112th Congress to enact legislation to restrict the *transshipment* for waterborne export ~~transshipment~~ of coal for electricity generation to any nation that fails to adopt rules and regulations on the emissions of greenhouse gases ~~and airborne~~ or hazardous air ~~pollutants~~ *emissions* that are at least as restrictive as those adopted by the United States. The measure would urge the Governor of California to inform the Governors of the States of Oregon and Washington of the significant health risks to the people of the Pacific Coast states if large coal export terminals and railcar coal transport expansions are licensed and permitted to operate on or near the coast of the States of Oregon and Washington.

Fiscal committee: yes.

- 1 WHEREAS, California law requires electricity providers to
- 2 procure not less than 33 percent of retail sales of electricity from
- 3 renewable energy resources by December 31, 2020; and

1 WHEREAS, California has emerged as a global leader in the
2 transition from fossil fuel dependence to a clean energy economy;
3 and

4 WHEREAS, California law limits long-term investments in
5 baseload generation by utilities to powerplants that meet strict
6 greenhouse gas emissions standards. According to the State Energy
7 Resources Conservation and Development Commission, currently
8 no existing coal plant has demonstrated that it complies with the
9 greenhouse gas emissions limit on long-term investments in
10 baseload generation; and

11 WHEREAS, The United States Environmental Protection
12 Agency in December 2011 issued regulations requiring coal-fired
13 powerplants to significantly reduce emissions of mercury, arsenic,
14 and other toxic pollutants within four years; and

15 WHEREAS, Hazardous emissions from coal powerplants
16 threaten health locally and at great distances; and

17 WHEREAS, Coal exports from United States ports to Asia have
18 risen by almost 240 percent from 3.8 million tons in 2009 to over
19 13 million tons in 2010; and

20 WHEREAS, The environmental consequences of massive coal
21 exports to Asia are severe, including the burning of millions of
22 tons of coal *that releases hazardous air emissions* into the
23 atmosphere and increased mountaintop removal projects; and

24 WHEREAS, Burning coal for electricity generation worldwide
25 is the main cause of ~~global warming pollution~~ *greenhouse gas*
26 *emissions* and the planetary climate crisis; and

27 WHEREAS, Coal burning has contributed to significant human
28 health risks in all age groups through the emissions of ozone, sulfur
29 dioxide (SO₂), particulate matter, nitrogen oxides (NO_x), mercury,
30 and carbon dioxide (CO₂); now, therefore, be it

31 *Resolved by the Assembly and the Senate of the State of*
32 *California, jointly*, That the Legislature urges the President of the
33 United States and the 112th Congress to enact legislation to restrict
34 the *transshipment for* waterborne export ~~transshipment~~ of coal for
35 electricity generation to any nation that fails to adopt rules and
36 regulations on the emissions of greenhouse gases or ~~airborne~~
37 hazardous air ~~pollutants emissions~~ that are at least as restrictive as
38 those adopted by the United States; and be it further

39 *Resolved*, That the Legislature urges the Governor of California
40 to inform the Governors of the States of Oregon and Washington

1 of the significant health risks to the people of the Pacific Coast
2 states if large coal export terminals; and railcar coal transport
3 expansions; are licensed and permitted to operate on or near the
4 coast of the States of Oregon and Washington; and be it further
5 *Resolved*, That the Chief Clerk of the Assembly transmit copies
6 of this resolution to the President and Vice President of the United
7 States, the President pro Tempore of the United States Senate, the
8 Speaker of the House of Representatives, to each Senator and
9 Representative from California in the Congress of the United
10 States, and to the author for appropriate distribution.

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